

REMARKS

Claims 2-5, 7-15, 18-26, 28, and 29 are currently pending in this application with claims 2-5, 7-14, 18, 19, and 24-26 withdrawn from consideration.

Response to Claim Rejections

Claim 29

Claim 29 is directed to a pre-packaged absorbent article and sun protection accessories arrangement. The pre-packaged arrangement comprises:

an absorbent article for personal wear; and

a sunscreen carrier containing a sunscreen composition, the sunscreen carrier being releasably adhered directly to the absorbent article for distribution together as a single unit.

As noted in the background of the present application, it is important for caregivers to take various accessories along on outdoor activities, such as swimming or other outings, to provide protection for infants/toddlers against UV radiation. Typically, when the caregiver is preparing for such an outing, the caregiver commonly loads the personal wear absorbent articles (e.g., diapers, training pants, swimming pants, etc.) along with all of the needed accessories into a bag or other carrier. This, however, requires the caregiver to remember to purchase, store, and gather all of the separate items together into the carrier.

The pre-packaged arrangement recited in claim 29 packages the personal wear absorbent article and the sunscreen carrier together for distribution of the arrangement as a single unit, e.g., at the initial point of purchase. This reduces the burden on the caregiver to have to remember to purchase these items separately and then later also remember to gather these items together to take on an outdoor activity. Rather, these items

are already packaged together upon initial purchase and remain together. Thus, when the caregiver takes the personal wear absorbent article along on an outdoor activity, the sunscreen is already there with the absorbent article. That is, releasably securing the sunscreen to the absorbent article serves as a reminder to the caregiver, upon changing the absorbent article, to apply sunscreen to the child.

Claim 29 is submitted to be nonobvious in view of and patentable over the references of record, and in particular U.S. Patent No. 4,221,221 (Ehrlich) in combination with U.S. Patent No. 6,622,856 (Gallo et al.), in that whether considered alone or in combination the references fail to teach or suggest to one skilled in the art a pre-packaged arrangement comprising a sunscreen carrier releasably adhered directly to an absorbent article.

Ehrlich, with reference to Fig. 1 thereof, discloses a diaper 12 having a container assembly 16 adhesively secured to the diaper. The container assembly 16 includes a powder packet assembly 42, a towel packet assembly 44, and a baby oil packet assembly 46. Notably, each of these items (powder, towels, and baby oil) are used by caregivers during diaper changes. In other words, these items are related to the function of the diaper itself and the associated changing process. Nowhere does Ehrlich teach or suggest releasably securing, onto the diaper, any products that are wholly unrelated to the diaper and the diaper changing process, let alone sunscreen as recited in claim 29.

Gallo et al. adds little to Ehrlich and in particular represents no more than the state of the art prior to the present invention. In particular, Gallo et al. disclose a relief kit that contains multiple items used for relieving children from discomfort. The kit includes a container 4 having

a plurality of interior compartments 5 for holding products for relieving infants from discomforts, e.g., colds, pain, fever, diaper rash, and gas. See column 5, lines 30-35. The container 4 can also contain other related products such as antibiotic ointments, lubricants, saline drops, powder, syrup of Ipecac, bandages, nail clippers, anti-inflammatory creams, thermometer strips, cotton balls, rubbing alcohol, cotton swabs, ***sunscreen***, insect repellant, baby oil, instant ice packs, hydrogen peroxide, Aloe Vera for soothing sunburn, and solutions for replacing electrolytes. See column 5, lines 20-29. Gallo et al. disclose that the comforting products, which may or may not be distributed with the container, can be supplemented with other miscellaneous products, which are not distributed with the container. For example, Gallo et al. teach that the user may place brushes, diapers, wipes, diaper disposal bags, pacifiers, cups, bottles, and the like in ancillary compartments of the container to customize its contents. See column 3, lines 37-40 and column 4, lines 10-13.

Gallo et al. clearly fail to teach releasably securing sunscreen directly to an absorbent article. Since Gallo et al. and Ehrlich each fail to teach this feature, a combination of the references must also fail to teach such a feature.

Moreover, one skilled in the art would not be motivated by Gallo et al. or by Ehrlich to replace the diaper related container assemblies secured to the diaper of Ehrlich with sunscreen (which is wholly unrelated to the function of a diaper or the process of changing the diaper). In the same manner that the caregiver prior to the present invention was required to 1) remember to pack the absorbent articles for an outdoor activity, 2) remember to separately pack sunscreen and then 3) remember to apply the sunscreen, even if the absorbent article is changed

during the outing, the kit disclosed by Gallo et al. requires the same mental steps.

For example, the user of the kit disclosed by Gallo et al. must remember to place an absorbent article into the kit, to place sunscreen into the kit, and, most notably, upon removing an absorbent article from the kit for changing purposes the user must still remember to pull the sunscreen out of the kit (just like previously having to remember to pull the sunscreen out of the diaper bag). Gallo et al. provide no teaching or even a suggestion of using the diaper as a reminder to the caregiver to apply sunscreen to the child, such as by directly connecting the sunscreen to the absorbent article. Moreover, what happens when the sunscreen or diapers in the kit are used up? The caregiver must again remember to replace these items in the kit. In contrast, directly applying the sunscreen to the absorbent article eliminates the mental requirement.

One skilled in the art would therefore not be motivated by Gallo et al. to releasably secure sunscreen directly to an absorbent article because Gallo et al. fail to recognize the importance of such a securement serving as an automatic reminder to the caregiver, upon changing the absorbent article, to apply sunscreen to the child even though the sunscreen is otherwise wholly unrelated to the absorbent article and its changing process.

For these reasons, claim 29 is submitted to be nonobvious in view of and patentable over the references of record.

Claims 2, 15, 19-23, 28, and 30 depend directly or indirectly from claim 29 and are submitted to be nonobvious in view of and patentable over the references of record for at least the same reasons as claim 29.

CONCLUSION

In view of the above, applicants request favorable consideration and allowance of the claims as they are presented herein.

Respectfully submitted,

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